

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**TARONE L. JAMES**

**PLAINTIFF**

**V.**

**CASE NO. 3:15-CV-00080 DPM/BD**

**BRENT DUNCAN, et al.**

**DEFENDANTS**

**RECOMMENDED DISPOSITION**

**I. Procedures for Filing Objections:**

This Recommended Disposition (“Recommendation”) has been sent to United States District Judge D.P. Marshall Jr. You may file written objections to this Recommendation. If you file objections, they must be specific and must include the factual or legal basis for your objection.

Your objections must be received in the office of the United States District Court Clerk within fourteen (14) days of the date of this Recommendation.

If no objections are filed, Judge Marshall can adopt this Recommendation without independently reviewing the record. By not objecting, you may also waive any right to appeal questions of fact.

**II. Discussion:**

Plaintiff Tarone L. James, an Arkansas Department of Correction inmate, filed this case pro se under 42 U.S.C. § 1983. (Docket entry #1) Based on the allegations in his

complaint, Mr. James adequately stated deliberate-indifference claims against Defendants Bentley, Jackson, and Reece.<sup>1</sup>

On October 12, 2015, Defendants moved for an order compelling Mr. James to respond to their discovery requests. (#21) The Court granted the motion and gave Mr. James until November 12, 2015, to respond to the outstanding discovery requests. (#22) That order was returned to the Court as “undeliverable,” with a notation that the order had been forwarded to Mr. James at the East Arkansas Regional Unit. (#23) Because it was unclear whether Mr. James received the October 14, 2015 order, the Court gave Mr. James until December 23, 2015, to respond to the Defendants’ discovery requests and instructed the Clerk to mail copies of both orders to Mr. James at the East Arkansas Regional Unit. (#24)

Defendants have notified the Court that Mr. James has not responded to the outstanding discovery requests. (#25)

### **III. Conclusion:**

The Court recommends that Mr. James’s claims be DISMISSED, without prejudice, based on his failure to comply with this Court’s November 23, 2015 Order. Local Rule 5.5.

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<sup>1</sup> The Court previously dismissed Mr. James’s claims against Defendant Duncan. (#10)

DATED this 4th day of January, 2016.

  
UNITED STATES MAGISTRATE JUDGE